

Panaji, 14th October, 2022 (Asvina 22, 1944)

SERIES III No. 28

# OFFICIAL GOVERNMENT OF GOA GAZETTE



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## EXTRAORDINARY

### GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate & District Election  
Officer, South Goa District

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#### Order

No. 38/2/2022/Z.P. BYE ELEC-2022/MAG/XII/13414

#### U/S 144 of Criminal Procedure Code, 1973

Whereas, the Goa State Election Commission has announced the Bye Elections to 13-Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25-Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District scheduled to be held on 16-10-2022 and counting of polled votes fixed on 18-10-2022.

And whereas, the Model Code of Conduct has already come in force with immediate effect. The Goa State Commission has issued directions to ensure free, fair manner and peaceful elections;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace mainly due to misuse of Hotels, Restaurants, Tea Shops, Paan Shops and other food shops/joints (Dhabas, Gaddas) etc., due to gathering of crowd at places within the vicinity of 200 meters of the Polling Stations which creates nuisance and law and order problems;

And whereas, Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or Voter and whoever commits offence of bribery is

punishable under Section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC;

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

Now therefore, I, Jyoti Kumari, IAS, District Magistrate, South Goa District in exercise of the powers vested in me under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 hereby issue following Prohibitory orders:

1. That all Restaurants, Bars, Tea shops, Paan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated in 13-Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25-Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District jurisdiction within 200 mtrs. of the polling stations on day of poll i.e. on 16-10-2022 from 06.00 a.m. to 06.00 p.m. and the Counting Centres on the day of counting i.e. on 18-10-2022 from 06.00 a.m. till end of counting of votes of respective Zilla Panchayat Jurisdiction in South Goa District shall remain closed.
2. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of

polling stations with in the area of 13-Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25-Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or religious processions/functions. Also, the above order shall not apply to the authorized officers on Election

Duty by the State Government, including the Polling officials, Magistrates, Police officials and Government staff.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 14th day of October, 2022.

Panaji.— The District Magistrate & Zilla Panchayat Election Officer (South), *Jyoti Kumari*, IAS.

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